

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	Criminal No. 24cr10276
	)	
v.	)	Violation:
	)	
ALLAN NIP,	)	<u>Count One:</u> Violation of National Defense
	)	Airspace
	)	(49 U.S.C. §§ 46307 and 40103(b)(3))
Defendant	)	
	)	<u>Forfeiture Allegation:</u>
	)	(6 U.S.C. § 124n(c) and
	)	28 U.S.C. § 2461)

INFORMATION

COUNT ONE

Violation of National Defense Airspace  
(49 U.S.C. §§ 46307 and 40103(b)(3))

The Acting United States Attorney charges:

On or about April 15, 2024, in Boston, in the District of Massachusetts, the defendant,

ALLAN NIP,

did knowingly and willfully, and without lawful authority, operate an unmanned aircraft system, to wit a DJI Mavic 3 with Serial Number 1581F45T7227B00SU049, within restricted National Defense Airspace, to wit within an area subject to a Temporary Flight Restriction prohibiting unmanned aircraft system operations near the finish line of the 128<sup>th</sup> Boston Marathon as set forth in Notice To Air Missions 4/8918.

All in violation of Title 49, United States Code, Sections 46307 and 40103(b)(3).

FORFEITURE ALLEGATION  
(6 U.S.C. § 124n(c) and 28 U.S.C. § 2461(c))

The Acting United States Attorney further alleges:

1. Upon conviction of the offense in violation of Title 49, United States Code, Sections 46307 and 40103(b)(3), set forth in Count One, the defendant,

ALLAN NIP,

shall forfeit to the United States, pursuant to Title 6, United States Code, Section 124n(c) any unmanned aircraft system or unmanned aircraft described in Title 6, United States Code, Section 124n(a) and seized pursuant to Title 6, United States Code, Section 124n(b). The property to be forfeited includes, but is not limited to, the following asset:

a. a DJI Mavic 3 with Serial Number 1581F45T7227B00SU049 and controller.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 6, United States Code, Section 124n(c), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 6, United States Code, Section 124n(c) and Title 28, United States Code, Section 2461(c).



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JOHN T. McNEIL  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF MASSACHUSETTS

Dated: SEPTEMBER 9, 2024